



## CITY OF LODI

## COUNCIL COMMUNICATION

**AGENDA TITLE:** Set Public Hearing for October 3, 2001, to Consider Updating Development Impact Fees for Water, Wastewater Collection, Storm Drainage, Streets, Police, Fire, Parks and Recreation, and General City Facilities; and to Consider Amendments to Title 15, Section 64 of the Lodi Municipal Code

**MEETING DATE:** September 5, 2001

**PREPARED BY:** Public Works Director

**RECOMMENDED ACTION:** Set Public Hearing for October 3, 2001, to consider updating development impact fees for water, wastewater collection, storm drainage, streets, police, fire, parks and recreation, and general City facilities.

**BACKGROUND INFORMATION:** Development impact fees are used to finance the design, construction, and administration of projects needed to serve the demand for public infrastructure resulting from new residential and nonresidential development. The City of Lodi adopted the current development impact fees in 1993. Recognizing that construction costs change over time and projects are redefined, an update to the Development Impact Fee Program was initiated.

Copies of the report entitled Development Impact Fee Update were distributed to members of the City Council, developers and engineers active in the Lodi community, and the appropriate City staff in March. A public informational meeting was held on June 26, 2001, at the Carnegie Forum to present the final report and respond to comments and questions. Subsequent meetings were held with the Building Industry Association and the development community resulting in minor revisions to the report and consensus on the Program. Attached you will find a summary of the revised schedule of Impact Mitigation Fees.

Under Government Code 66000 et seq., a public hearing shall be held prior to adopting a resolution that would change the current development impact fees. At the same meeting, staff will also request City Council consideration of our recommendation to defer the time for payment of all impact fees to acceptance of the public improvements. Currently, some of the fees are collected at map filing, with the remainder at acceptance. This will require amendments to Title 15, Section 64 of the Lodi Municipal Code. Amendments to the code section are attached for your review. The resolution establishing the fees will include implementation dates which will generally be January 1, 2002.

**FUNDING:** None required.

Richard C. Prima, Jr.  
Public Works Director

Prepared by F. Wally Sandelin, City Engineer  
RCP/FWS/lm  
attachments

APPROVED: \_\_\_\_\_

H. Dixon Flynn -- City Manager

**TABLE 2.2 (See Note 1)**  
**Summary of January 1, 2001 Development Impact Fees**  
**All Services**  
**(per acre)**

| Land Use Categories               | Water     | Sewer    | Storm Drainage | Streets & Roads | Police   | Fire     | Parks & Rec | General   | Total      |
|-----------------------------------|-----------|----------|----------------|-----------------|----------|----------|-------------|-----------|------------|
| <b><u>RESIDENTIAL</u></b>         |           |          |                |                 |          |          |             |           |            |
| Low Density                       | \$ 3,918  | \$ 501   | \$ 11,276      | \$ 7,874        | \$ 1,540 | \$ 1,505 | \$ 19,329   | \$ 6,221  | \$ 52,165  |
| Medium Density                    | \$ 7,679  | \$ 983   | \$ 11,276      | \$ 15,434       | \$ 2,727 | \$ 2,950 | \$ 27,640   | \$ 8,897  | \$ 77,585  |
| High Density                      | \$ 13,673 | \$ 1,750 | \$ 11,276      | \$ 24,017       | \$ 7,271 | \$ 6,502 | \$ 54,120   | \$ 17,420 | \$ 136,029 |
| <b><u>PLANNED RESIDENTIAL</u></b> |           |          |                |                 |          |          |             |           |            |
| Low Density                       | \$ 3,918  | \$ 501   | \$ 11,276      | \$ 7,874        | \$ 1,540 | \$ 1,505 | \$ 19,329   | \$ 6,221  | \$ 52,165  |
| Medium Density                    | \$ 7,679  | \$ 983   | \$ 11,276      | \$ 15,434       | \$ 2,727 | \$ 2,950 | \$ 27,640   | \$ 8,897  | \$ 77,585  |
| High Density                      | \$ 13,673 | \$ 1,750 | \$ 11,276      | \$ 24,017       | \$ 7,271 | \$ 6,502 | \$ 54,120   | \$ 17,420 | \$ 136,029 |
| <b><u>COMMERCIAL</u></b>          |           |          |                |                 |          |          |             |           |            |
| Retail Commercial                 | \$ 2,507  | \$ 471   | \$ 14,997      | \$ 16,379       | \$ 6,347 | \$ 4,049 | \$ 6,185    | \$ 5,537  | \$ 56,472  |
| Office Commercial                 | \$ 2,507  | \$ 471   | \$ 14,997      | \$ 25,749       | \$ 5,730 | \$ 3,703 | \$ 10,438   | \$ 9,519  | \$ 73,114  |
| <b><u>INDUSTRIAL</u></b>          |           |          |                |                 |          |          |             |           |            |
| Light Industrial                  | \$ 1,019  | \$ 211   | \$ 14,997      | \$ 15,749       | \$ 462   | \$ 963   | \$ 4,446    | \$ 3,982  | \$ 41,828  |
| Heavy Industrial                  | \$ 1,019  | \$ 211   | \$ 14,997      | \$ 10,000       | \$ 293   | \$ 918   | \$ 6,378    | \$ 5,786  | \$ 39,602  |

Note 1: Table 2.1, "Summary of June 30, 1999 Development Impact Fees All Services," has been updated based upon the construction cost indexes below.

**ENR Adjustment**

|                             |      |
|-----------------------------|------|
| July 1999 ENR Cost Index    | 6076 |
| January 2001 ENR Cost Index | 6281 |

**Title 15 BUILDINGS AND CONSTRUCTION**  
**Chapter 15.64 DEVELOPMENT IMPACT MITIGATION FEES**

**15.64.040 Payment of fees.**

A. The property owner of any development project causing impacts to public facilities shall pay the appropriate development mitigation fee as provided in this chapter. The amount shall be calculated in accordance with this chapter and the program fee per residential acre equivalent as established by council resolution.

B. When such payment is required by this chapter, no final subdivision map, building permit or grading permit shall be approved for property within the city unless the development impact mitigation fees for that property are paid or guaranteed as provided in this chapter.

C. The fees shall be paid before the approval of a final subdivision map, building permit or grading permit, whichever occurs first except as provided in subsection E of this section.

D. If a final subdivision map has been issued before the effective date of the ordinance codified in this chapter, then the fees shall be paid before the issuance of a building permit or grading permit, whichever comes first except as exempted under Section 15.64.110 of this chapter.

E. Where the development project includes the installation of public improvements, the payment of fees for Police, Fire, Parks and Recreation and general city facilities and program administration established by this Chapter may be deferred and shall be collected prior to acceptance of the public improvements by the city council. Payment of all deferred fees shall be guaranteed by the owner prior to deferral. Such guarantee shall consist of a surety bond, instrument of credit, cash or other guarantee approved by the city attorney. (Ord. 1526 § 2, 1991; Ord. 1518 § 1 (part), 1991)

**15.64.050 Adoption of study, capital improvement program and fees.**

A. The city council adopts the City of Lodi Development Fee Study dated August, 1991 and establishes a future capital improvement program consisting of projects shown in said study. The city council shall review that study annually, or more often if it deems it appropriate, and may amend it by resolution at its discretion.

B. The city council shall include in the city's annual capital improvement program appropriations from the development impact fee funds for appropriate projects.

C. Except for facilities approved by the public works director for construction by a property owner under Section 15.64.080 or as shown in the annual capital improvement program, all facilities shall be constructed in accordance with the schedule established in the development impact fee study.

D. The program fee per residential area equivalent (RAE) shall be adopted by resolution and shall be ~~updated annually, or more frequently if directed by the city council, by resolution after a noticed public hearing. The annual update shall be based on a report by the public works director including the estimated cost of the public improvements, the continued need for those improvements, and the reasonable relationship between such need and the impacts of the various types of development pending or anticipated and for which this fee is charged. In the absence of substantial changes in the projects or unit prices, the change in project cost shall be estimated by the change in the Engineering News Record 20 Cities Construction Cost Index, automatically adjusted annually on January 1. The annual adjustment shall change the program fee by the same percentage as the annual change in the Engineering News Record 20 Cities Construction Cost Index.~~(Ord. 1518 § 1 (part), 1991)



***Please immediately confirm receipt  
of this fax by calling 333-6702***

CITY OF LODI  
P. O. BOX 3006  
LODI, CALIFORNIA 95241-1910

**ADVERTISING INSTRUCTIONS**

**SUBJECT: SET PUBLIC HEARING FOR OCTOBER 3, 2001  
TO CONSIDER UPDATING DEVELOPMENT IMPACT FEES FOR WATER,  
WASTEWATER COLLECTION, STORM DRAINAGE, STREETS, POLICE, FIRE,  
PARKS AND RECREATION, AND GENERAL CITY FACILITIES, AND AMENDING  
TITLE 15, SECTION 64 OF THE LODI MUNICIPAL CODE**

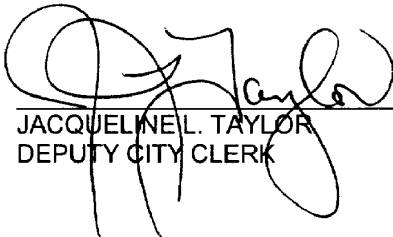
**PUBLISH DATE(s): SATURDAY, SEPTEMBER 8, 2001  
SATURDAY, SEPTEMBER 22, 2001**

**TEAR SHEETS WANTED: Three (3) please**

**SEND AFFIDAVIT AND BILL TO:** SUSAN BLACKSTON, CITY CLERK  
City of Lodi  
P.O. Box 3006  
Lodi, CA 95241-1910

**DATED: SEPTEMBER 6, 2001**

**ORDERED BY:**

  
JACQUELINE L. TAYLOR  
DEPUTY CITY CLERK

\_\_\_\_\_  
JENNIFER M. PERRIN  
DEPUTY CITY CLERK

**Verify Appearance of this Legal in the Newspaper - Copy to File**

|   |   |
|---|---|
| Faxed to the Sentinel at 369-1084 at _____ (time) on _____ (date) _____ (pages) |   |
| Sharon _____  | Phoned to confirm receipt of all pages at _____ (time) _____ Jac _____ Jen (Initials) |



**CITY OF LODI**  
**Carnegie Forum**  
305 West Pine Street, Lodi

**NOTICE OF PUBLIC HEARING**

**Date:** October 3, 2001

**Time:** 7:00 p.m.

For information regarding this notice please contact:

**Susan J. Blackston**  
**City Clerk**  
**Telephone: (209) 333-6702**

**NOTICE OF PUBLIC HEARING**

**NOTICE IS HEREBY GIVEN** that on **Wednesday, October 3, 2001** at the hour of 7:00 p.m., or as soon thereafter as the matter may be heard, the City Council will conduct a Public Hearing at the Carnegie Forum, 305 West Pine Street, Lodi, to consider the following matter:

- a) Updating Development Impact Fees For Water, Wastewater Collection, Storm Drainage, Streets, Police, Fire, Parks And Recreation , And General City Facilities, And Amending Title 15, Section 64 Of The Lodi Municipal Code

Information regarding this item may be obtained in the office of the Public Works Department Director, 221 West Pine Street, Lodi, California. All interested persons are invited to present their views and comments on this matter. Written statements may be filed with the City Clerk at any time prior to the hearing scheduled herein, and oral statements may be made at said hearing.

If you challenge the subject matter in court, you may be limited to raising only those issues you or someone else raised at the Public Hearing described in this notice or in written correspondence delivered to the City Clerk, 221 West Pine Street, at or prior to the Public Hearing.

By Order of the Lodi City Council:

Susan J. Blackston  
City Clerk

**Dated: September 6, 2001**

Approved as to form:

Randall A. Hays  
City Attorney



## **DECLARATION OF POSTING**

On Thursday, September 6, 2001 in the City of Lodi, San Joaquin County, California, a copy of Notice of Public Hearing of the City Council of the City of Lodi to consider Updating Development Impact Fees For Water, Wastewater Collection, Storm Drainage, Streets, Police, Fire, Parks And Recreation , And General City Facilities, And Amending Title 15, Section 64 Of The Lodi Municipal Code (attached hereto, marked Exhibit "A") was posted at the following four locations:


Lodi Public Library  
Lodi City Clerk's Office  
Lodi City Hall Lobby  
Lodi Carnegie Forum

I declare under penalty of perjury that the foregoing is true and correct.

Executed on September 6, 2001, at Lodi, California.

ORDERED BY:

**SUSAN J. BLACKSTON**  
**CITY CLERK**



\_\_\_\_\_  
Jacqueline L. Taylor  
Deputy City Clerk

\_\_\_\_\_  
Jennifer M. Perrin  
Deputy City Clerk



**CITY OF LODI**  
**Carnegie Forum**  
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Susan J. Blackston  
City Clerk

**Dated: September 6, 2001**

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Randall A. Hays  
City Attorney